

# Exhibit 2

Eric Benson

Brennan Moss

**PARKINSON BENSON POTTER**

2750 Rasmussen Rd., Suite H-107

Park City, UT 84098

Telephone:

Email: [eric@pbp.law](mailto:eric@pbp.law)

[brennan@pbp.law](mailto:brennan@pbp.law)

*Attorneys for Defendants Rymark, Inc.,  
Nicholas Markosian*

---

**IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH, CENTRAL DIVISION**

---

CAPANA SWISS ADVISORS AG, a  
Swiss corporation; AMERIMARK  
AUTOMOTIVE AG, a Swiss corporation,

Plaintiffs,

vs.

RYMARK, INC., a Utah corporation;  
NICHOLAS THAYNE MARKOSIAN, an  
Individual, JOHN KIRKLAND, an  
individual; and VICKY SMALL, an  
individual,

Defendants.

---

And Related Counterclaims and Third-  
Party Claims.

**DECLARATION OF SHANE BAWDEN  
IN SUPPORT OF DEFENDANTS'  
MEMORANDUM IN OPPOSITION TO  
PLAINTIFFS' MOTION TO COMPEL  
THIRD-PARTY FORENSIC  
INSPECTION OF DEFENDANTS  
NICHOLAS MARKOSIAN AND  
RYMARK INC.'s ELECTRONIC  
DEVICES**

Case No. 2:23-cv-00467

Judge: Hon. Ted Stewart

Magistrate Judge: Hon. Cecilia M. Romero

I, SHANE BAWDEN, declare as follows:

1. I am an eDiscovery consultant at Premier Legal Technologies ("Premier").

2. I have worked for Premier (under its present name and previous monikers, including Legal Copy of Salt Lake, Alexander's Digital, and Salt Lake Legal) for roughly twenty years.

3. I have extensive experience with providing data base and eDiscovery services.

4. Premier was engaged to provide services in the above-captioned litigation on or around July 14<sup>th</sup>, 2023

5. Premier assisted with eDiscovery processing and hosting of Rymark's data.

6. Chris Adams, of Rymark, supplied Premier with collected data.

7. Upon receipt of data associated with this litigation from Chris Adams of Rymark, Premier personnel uploaded the PSTs into Premier's Early Case Assessment software, Law EDA.


8. Premier ultimately hosted data and ran searches as directed and de-duplicated emails already produced.

9. Premier used the following search terms in its searches of the data provided by Mr. Adams and Rymark: "Capana"; "Capana Swiss Advisors AG"; "AmeriMark"; "AmeriMark"; "Automotive AG"; "AmeriMark Group AG"; "Ananda Capital Partners, Inc."; "Ananda"; "Gysi & Partner Rechtsanwalte Ltd."; "CHARIS Finanz- und Vermoegensmanagement AG"; "Bank for Investments und Wertpapiere AG"; "Steffen Rausch Kessler AG"; "NOUV MT"; "Grantchester Equity"; "4Service Cloud Tech AG"; "ECON Commercial Company GmbH"; "White Tree Capital"; "Orbital AG"; "Capital Lounge GmbH"; "Friends and Equity GmbH"; "SIX-SIS"; "Bank M"; "Schweiger"; "Bendura Bank"; "Abovo Treuhand"; "Philomax"; "Share Exchange Agreement"; "Agreement concerning a contribution in kind"; "Global Share Certificate"; "Global-Zertifikat"; "Acquisition and Reverse Merger Agreement"; "Mandate Agreement"; "Equity Research"; "Listing Agreement"; "Marche Libre"; "Euronext"; "Paris Stock Exchange"; "Maltese Stock Exchange"; "Vienna Stock Exchange"; "Vienna Direct"; "Frankfurt Stock Exchange"; "Austrian Financial Market Authority"; "Switzerland"; "Germany"; "Nicolai Colshorn"; "Dr. iur. Markus Their"; "Adrian Zehner"; "Felix Kappeler"; "Martin Fasser"; "Anthony Attla"; "Eve Carpentier"; "Martin Wenzl"; "Pasqual Vernich"; "Hermano"; "Frank Hueser/Frank Huser"; "David Hesterman"; "Hestermaniac"; "Pascal Seeberger/Pascal Seeburger"; "Miron Leshem"; "Miron"; "Alexander Coenen"; "Stefan Kammerlander"; "Mathias Voigt"; "Daniel Gysi"; "Beat Weibel"; "Martina Sperlich"; "Ralf Helfritsch"; "@amerimarkag.com"; "@econcc.ch"; "@solvaction.com"; "@4service.com"; "@charis-trust.ch"; "@gysipartner.ch"; "@vossreedstein.com"; and "@inversionis.com".

10. Subsequently, Premier added the additional terms to its searches of the data provided by Mr. Adams and Rymark: "SIX SIS"; "Malta"; "WhiteTree"; "PoA"; "Power of Attorney"; "@whitetreecapital.ltd"; "@whitetreevc.com"; "Bill Holmes"; "William Holmes"; "Eric Gardiner"; "David Garcia"; "Gus Comacho"; "Guz Comacho"; "Gustavo Comacho"; "AmeriMark AND Michael Markosian"; "Malta AND Michael Markosian"; "AmeriMark AND Richard Markosian"; "Malta AND Richard Markosian"; "AmeriMark AND Paul Markosian"; "Malta AND Paul Markosian"; "AmeriMark AND Bruce Markosian"; "Malta AND Bruce Markosian"; "AmeriMark AND Becky Markosian"; "Malta AND Becky Markosian"; "AmeriMark AND Jennifer Markosian"; "Malta AND Jennifer Markosian"; "AmeriMark AND John Paul Markosian"; "Malta AND John Paul Markosian"; "AmeriMark AND Louis Markosian"; "Malta AND Louis Markosian"; "AmeriMark AND Jacob Wilhite"; "Malta AND Jacob Wilhite"; "AmeriMark AND Ethan Wilhite"; and "Malta AND Ethan Wilhite."

I declare under penalty of perjury that the foregoing is true and correct.

Executed on August 11th, 2025.

  
Shane Bawden